

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

DEVERICK SCOTT
ADC #131042

PLAINTIFF

v.

No. 5:19-cv-101-DPM

PAMELA COOK,
Sergeant, Varner Supermax

DEFENDANT

ORDER

On *de novo* review, the Court adopts Magistrate Judge Kearney's recommendation, *No* 28, and overrules Scott's objections, *No* 29. FED. R. CIV. P. 72(b)(3). Scott's grievance itself stated that he'd set his cell on fire—not just on June 6th, but on three occasions. *No* 21-1. That amounts to “some evidence” supporting Cook's disciplinary action. Scott's retaliation claim therefore fails. *Hartsfield v. Nichols*, 511 F.3d 826, 829 (8th Cir. 2008). His motion for summary judgment, *No* 17, is denied; and Cook's cross-motion for summary judgment, *No* 20, is granted. Scott's complaint will be dismissed with prejudice.

So Ordered.

W.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

30 January 2020